Berkeshire L. Ins. Co., 93 U. S. 284; *De Gogorza v. Knickerbocker L. Ins. Co.*, 65 N. Y. 232. And where the stipulation "sane or insane" or its equivalent is omitted the act is not suicide within the meaning of the policy. Even though the insured intends his death, if by reason of insanity he cannot appreciate the moral character of his act, or is impelled by an uncontrollable impulse. *Ins. Co. v. Terry*, 15 Wall. 580; *May, Ins.* (3d ed.), vol. 1, sec. 307. In England the distinction is not recognized, and although there is no clause as to insanity in the policy, still the act will be considered suicide when done voluntarily, in the pursuance of an intelligent purpose, even though by reason of insanity the insured cannot understand the moral character of his act. *Bowdaile v. Hunter*, 5 M. & G. 639. English rule is followed in Massachusetts. *Cooper v. Mass. Mut. L. Ins. Co.*, 102 Mass. 227.

NEGLIGENCE—CARRIERS OF PASSENGERS—INJURIES.—TOBENG V. METROPOLITAN ST. RY. CO., 76 N. Y. SUPP. 411.—Plaintiff was injured by the premature starting of a street car, which, while it was slowly moving, he attempted to board. *Held*, that an instruction that, in all ordinary cases, to attempt to board a moving public vehicle is negligent was erroneous.

The instruction expresses the established rule in the case of steam railroads. *Missouri Pac. R. R. Co. v. Texas R. R. Co.*, 36 Fed. 879; *Bacon v. Delaware R. R. Co.*, 143 Pa. St. 14. A distinction has often been made where the motion was slight; *B. & O. R. R. Co. v. Kane*, 64 Md. 11; although the only decision to that effect in this country since 1894, *Walthers v. Chic. & N. W. R. R. Co.*, 72 Ill. App. 354, has been overruled. *C. & A. R. R. Co. v. Flaharty*, 96 Ill. App. 563. But this rule does not apply to street railroads; *Corbin v. West End St. R. R. Co.*, 154 Mass. 197; and the decisions to that effect are supported by abundant text authority. *Shearm. & Red., Neg.*, sec. 282; *3 Thomp., Neg.*, secs. 35, 65. Most of the cases cited to uphold the opposite view involve some other element of negligence. *Dietrich v. St. R. R. Co.*, 58 Md. 347; *Reddington v. Traction Co.*, 132 Pa. St. 154.

NEGLIGENCE—DANGEROUS PREMISES—RAILROAD TURNTABLE.—C., B. & Q. R. R. CO. V. KRAYENBUHL, 91 N. W. 880 (NEB.).—A child of four years was injured while playing on a turntable. *Held*, that the owners of the turntable were negligent, in that it was not kept securely locked.

The general rule is that one who maintains on uninclosed premises dangerous appliances of a nature likely to attract children in play is liable to a child injured thereby, although trespassing. *R. R. Co. v. Stout*, 17 Wall 657; *R. R. Co. v. McDonald*, 152 U. S. 262. The presence of the children must have been reasonably anticipated. *Phila., etc., R. Co. v. Hummell*, 44 Pa. St. 375. It has, on the other hand, been held that there is no liability unless the negligence may be considered as equivalent to a wanton injury. *Shea v. Gurnly*, 163 Mass. 184; *Walsh v. Fitchburg R. Co.*, 145 N. Y. 301. And the general rule that there is no duty to trespassers has been applied in the case of children. *Peters v. Bowman*, 115 Cal. 345; *Clark v. Manchester*, 62 N. H. 577. As stated in the opinion, there is a so-called "doctrine of the turntable cases," in line with the present decision. *R. R. Co. v. Stout* and *R. R. Co. v. McDonald, supra.* This has been affirmed in Ohio, Georgia,